



California Regional Water Quality Control Board

Santa Ana Region



Terry Tamminen
Secretary for
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Protection

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Arnold Schwarzenegger
Governor

May 12, 2006

Base Realignment and Closure
Attn: Mr. Darren Newton
BRAC Environmental Coordinator
7040 Trabuco Road
Irvine, California 92618

REGIONAL WATER QUALITY CONTROL BOARD (RWQCB) APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS (ARARs) FOR IRP SITE 1 THE FORMER EXPLOSIVE ORDNANCE DISPOSAL (EOD) TRAINING RANGE, FORMER MARINE CORPS AIR STATION EL TORO, ORANGE COUNTY, CALIFORNIA

Dear Mr. Newton:

On April 3, 2006, we received your request for ARARs for a potential response action at IRP Site 1 in compliance with Section 121 (d) (2) (A) of CERCLA and the National Contingency Plan 40 CFR Section 300.400 (g) and 300.515(d) and (h). The following is a list of our ARARs:

- **Water Quality Control Plan Santa Ana River Basin 1995 (Basin Plan)**

Citation: Chapter 3, Beneficial Uses

Description: The former Marine Corps Air Station El Toro is located over the Irvine Groundwater Management Zone. The Basin Plan defines beneficial uses for groundwater beneath former Marine Corps Air Station El Toro as municipal, agricultural, industrial service and industrial process supply.

Comments: The identification of the groundwater as a potential drinking water source forms a basis for selection of concentration limits, cleanup levels and treatment levels.

ARAR Status: Applicable, Action

Citation: Chapter 4, Water Quality Objectives

Description: Defines the groundwater quality objectives for non-degradation, taste and odor, bacteria, chemical constituents, toxic substances, radioactivity and minerals.

Comments: Applies to all cleanups of discharges that may affect water quality.

ARAR Status: Applicable, Action, Chemical

California Environmental Protection Agency

- **Statement of Policy with Respect to Maintaining High Quality of Waters in California**

Citation: State Water Resources Control Board Resolution No. 68-16

Description: Establishes policy on maintaining the high quality of California's surface waters and groundwater.

Comments: Applies to discharges of waste to waters of the State, including discharges to soil that may affect surface or groundwater. In-situ cleanup levels for contaminated soils must be set so that groundwater will not be degraded, unless degradation is consistent with the maximum benefit to the people of the State. If degradation is allowed, the discharge must meet standards for best practical treatment or control, and must result in the highest water quality possible, consistent with the maximum benefit to the people of the State. In no case may water quality objectives be exceeded.

ARAR Status: Applicable, Action, Chemical, Location

- **Sources of Drinking Water Policy**

Citation: State Water Resources Control Board Resolution No. 88-63 and Regional Board Resolution No. 89-42.

Description: Defines all groundwater and surface waters as existing or potential sources of drinking water, with a few specified exceptions (these exceptions are specified in Chapter 3, Beneficial Uses of the Basin Plan).

Comments: The identification of the groundwater beneath IRP Site 1 as potential sources of drinking water provides information to determine concentration limits, cleanup levels and treatment levels.

ARAR Status: Applicable, Location

- **Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304**

Citation: State Water Resources Control Board Resolution No. 92-49 (as Amended April 21, 1994 and October 2, 1996).

Description: Requires the investigation, cleanup and abatement to extend to any location affected by a discharge or threatened discharge, and sets policies and procedures for all investigations and cleanup and abatement activities.

Comments: These policies and procedures are applicable to investigations and remedial activities at IRP Site 1.

ARAR Status: Applicable, Action, Chemical, and Location

- **Porter-Cologne Water Quality Control Act 1998**

Citation: California Water Code Section 13000

Description: Defines the legislative intent to attain the highest water quality reasonable, considering all demands being made.

Comments: Basis for selection of background levels as the goal for cleanup criteria.

ARAR Status: Applicable, Action

Citation: California Water Code Section 13176

Description: Requires that the analysis of material be performed in a State-certified laboratory.

Comments: Applies to all investigations and remedial actions.

ARAR Status: Applicable, Action

Citation: California Water Code Chapter 4, Article 4

Description: Requires the submission of information regarding waste discharges, and states that requirements shall be placed to implement water quality control plans. Technical or monitoring reports may be required for investigation of water quality. Provides for penalties for noncompliance.

Comments: Removal and remedial actions must comply with substantive requirements.

ARAR Status: Applicable, Action, Chemical, Location

Citation: California Water Code Chapter 5, Article 1

Description: Requires cleanup and abatement of conditions of pollution or nuisance or threatened pollution or nuisance.

Comments: Applies to all investigation and remedial actions.

ARAR Status: Applicable, Action

Citation: California Water Code, Chapter 10, Article 3

Description: Specifies the requirements for water wells, monitoring wells, and cathodic protection wells.

Comments: Applies to all well installations.

ARAR Status: Applicable, Action

Citation: California Water Code Sections 13240, 13241, 13242, 13243

California Environmental Protection Agency



Description: Establishes water quality objectives, including narrative and numerical standards, that protect the beneficial uses of surface waters and groundwater in the Region. Describes control measures designed to ensure compliance with State plans and policies, and provides comprehensive water quality planning. Includes implementation actions for setting soil cleanup levels for soils that threaten water quality.

Comments: Any activity, including a new discharge of contaminated soils or containment of contaminated soils, that may affect water quality, must not result in exceeding water quality objectives. Implementation plans and other policies and requirements may apply.

ARAR Status: Applicable, Action

- **Discharges of Waste to Land**

Citation: California Code of Regulations, Title 27, Sections 20200(c) and 20210

Description: Requires that designated waste be discharged to Class I or Class II waste management units.

Comments: Applies to discharges of designated waste (non-hazardous waste that could cause degradation of surface or ground water) to land for treatment, storage, or disposal.

ARAR Status: Applicable, Action

Citation: California Code of Regulations, Title 27, Section 20230

Description: Specifies that inert waste does not need to be discharged at classified units.

ARAR Status: Applicable, Action

Citation: California Code of Regulations, Title 27, Sections 20200(c), 20220

Description: Requires that non-hazardous solid waste be discharged to a classified waste management unit.

Comments: Applies to discharges of non-hazardous solid waste to land for treatment, storage or disposal.

ARAR Status: Applicable, Action

- **Storm Water Activities**

Citation: 40 CFR, Parts 9, 122, 123, 124, National Pollutant Discharge Elimination System, implemented by the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit), Water Quality Order No. 99-08-DWQ,

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Comments

Construction and earth-moving activities that result in disturbance of at least one acre are subject to Water Quality Order No. 99-08-DWQ and the NPDES General Permit for Storm Water Discharges Associated with Construction Activity. Such activities include, but are not limited to, clearing, grading, stockpiling and excavation of soil or other materials.

ARAR Status: Applicable, Action

If you should have any questions regarding the details of the ARARs listed in this letter, please call me at (951) 782-4494 or send e-mail to jbroderick@waterboards.ca.gov.

Sincerely,


John Broderick
SLIC/DoD Section

Cc via email: Mr. Richard Muza, US EPA, Region 9
Ms. Soad Hakim, DTSC, Office of Military Facilities
Ms. Content Arnold, BRAC PMO WEST

